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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	FAVET et al.	Examiner:	Unassigned
Serial No.:	10/821,125	Group Art Unit:	3762
Filed:	April 8, 2004	Docket No.:	GUID.119PA
Title:	IMPLANTABLE SUDDEN CARDIAC DEATH PREVENTION DEVICE WITH REDUCED PROGRAMMABLE FEATURE SET		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 27, 2004.

7/27/04

By:

*Kelly S. Waltigney*  
Kelly S. Waltigney

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Forms 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted either within three months of the filing date or before the first Office Action of the above-identified application. Accordingly, no fee is due for consideration of the items listed on the enclosed Forms 1449.

In accordance with 37 C.F.R. §1.98(a)(2), and the 05 August 2003 Official Gazette Notice, only a copy of each foreign document or non-U.S. patent/application listed on the enclosed Forms 1449 is provided.

Please note that any notations or markings on the attached documents do not reflect particular relevance, or lack thereof, to the present application, nor were they necessarily made by anyone affiliated with the prosecution of the present application.

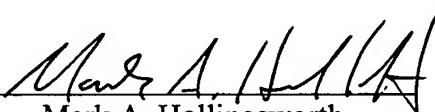
No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended. Also, while publication dates have been listed on the accompanying PTO-1449 for documents obtained via the Internet, the Applicant does not attest to, nor admit to, the accuracy of these dates, as the actual publication date may be unknown to Applicant.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Forms 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

Crawford Maunu PLLC  
1270 Northland Drive  
Suite 390  
St. Paul, MN 55120  
651/686-6633

Date: July 27, 2004

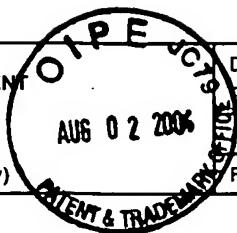
By:   
Mark A. Hollingsworth  
Reg. No. 38,491

FORM 1449\*

## INFORMATION DISCLOSURE STATEMENT

## IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:  
GUID.119PAApplication Number:  
10/821,125

Applicant: FAVET et al.

Filing Date: 04/08/2004

Group Art Unit: 3762

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,622,046	09/16/03	Fraley et al.			
	6,615,083	09/02/03	Kupper			
	6,607,509	08/19/03	Bobroff et al.			
	6,564,106	05/13/03	Guck et al.			
	6,522,915	02/18/03	Ceballos et al.			
	6,512,940	01/28/03	Brabec et al.			
	6,438,410	08/20/02	Hsu et al.			
	6,280,462	08/28/01	Hauser et al.			
	6,148,230	11/14/00	KenKnight			
	6,055,454	04/25/00	Heemels			
	6,044,298	03/28/00	Salo et al.			
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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

FORM 1449* <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b> (Use several sheets if necessary)		Docket Number: GUID.119PA	Application Number: 10/821,125
		Applicant: FAVET et al.	
		Filing Date: 04/08/2004	Group Art Unit: 3762

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,411,031	05/02/95	Yomtov			
	5,397,342	03/14/95	Heil, Jr. et al.			
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	5,331,966	07/26/94	Bennett et al.			
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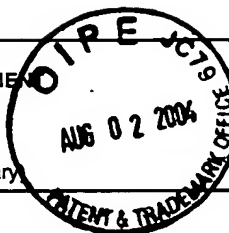
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EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,221,011	04/21/2001	Bardy			
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	6,277,072	08/21/2001	Bardy			
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	2002/0107559	08/08/02	Sanders et al.			
	2002/0107549	08/08/02	Bardy et al.			
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FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
	WO 92/20402	26 Nov. 1992	WO			YES
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
		Renee Hartz et al., <i>New Approach to Defibrillator Insertion</i> , J. Thoracic Cardiovascular Surgery, Vol. 97, pp. 920-922 (1989).				
		Theofilos M. Kolettis, MD, PhD et al., <i>Submammary Implantation of a Cardioverter-Defibrillator with a Nonthoractomy Lead System</i> , Am. Heart J., Vol. 126, pp. 1222-1223 (Nov. 1993)				
		John C. Schuder et al., <i>Transthoracic Ventricular Defibrillation in the Dog with Truncated and Untruncated Exponential Stimuli</i> , IEEE Trans. On Bio-Medical Engin., Vol. BME-18, No. 6, pp. 410-415 (Nov. 1971).				
		John C. Schuder et al., <i>Ventricular Defibrillation in the Dog Using Implanted and Partially Implanted Electrode Systems</i> , Am. J. of Cardiology, Vol. 33, pp. 243-247 (Feb. 1974).				
		John C. Schuder et al., <i>Experimental Ventricular Defibrillation with an Automatic and Completely Implanted System</i> , Trans. Am. Soc. Artif. Int. Organs, Vol. 16, pp. 207-212 (1970).				
		Karel Smits & Marek Malik, <i>Defibrillation Threshold (DFT) Model of a Fully Subcutaneous ICD System</i> , Europace Supplements, Vol. 2, June 2001 at column 778, page B83.				
		Stirbis et al., <i>Optmizing the Shape of Implanted Artificial Pacemakers</i> , Kaunas Medical Institute. Translated from Meditsinskaya Tekhnika, No. 6, pp. 25-27 (1986).				
		Charles T. Leng et al., <i>Lead Configuration for Defibrillator Implantation in a Patient with Congenital Heart Disease and a Mechanical Prosthetic Tricuspid Valve</i> , PACE, Vol. 24, No. 8, pp. 1291-1292 (Aug. 2001).				
		Park & Pollock, <i>Use of an Implantable Cardioverter Defibrillator in an Eight-Month-Old Infant with Ventricular Fibrillation Arising from a Myocardial Fibroma</i> , PACE, Vol. 22, No. 1, pp. 138-139 (Jan. 1999).				
		Rainer Gradaus M.D. et al., <i>Nonthoracotomy Implantable Cardioverter Defibrillator Placement in Children: Use of a Subcutaneous Array Leads and Abdominally Placed Implantable Cardioverter Defibrillators in Children</i> , J. of Cardiovascular Electrophysiology, Vol. 12, No. 3, pp. 356-360 (March 2001).				
		Press Release Biotronik 2003. <i>BIOTRONIK Announces FDA Approval of the Low-Cost Cardiac Airbag™ Implantable Cardioverter Defibrillator System</i> . Portland, Oregon. <a href="mailto:cardiac-airbag@biotronikusa.com">cardiac-airbag@biotronikusa.com</a> . 2 pages (May 15, 2003).				
		BIOTRONIK © 2003 Website product literature. <i>Cardiac Airbag™ / Meeting the Needs of the At Risk Patient</i> . 3 pages.				

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